

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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U.S. DISTRICT COURT, E.D.N.Y.

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★ APR 20 2006 ★

IN RE: HOLOCAUST VICTIM ASSETS
LITIGATION

BROOKLYN OFFICE

Case No. CV 96-4849 (ERK)(MDG)
(Consolidated with CV 96-5161
and CV 97-461)

This Document Relates to: All Cases

MEMORANDUM & ORDER

X

**MEMORANDUM & ORDER APPROVING SET 96: 12 AWARDS, 5 AWARD AMENDMENTS
AND 16 AWARD DENIALS CERTIFIED BY THE CLAIMS RESOLUTION TRIBUNAL
PURSUANT TO ARTICLE 31(2) OF THE RULES GOVERNING THE CLAIMS RESOLUTION
PROCESS AND AUTHORIZING PAYMENT FROM THE SETTLEMENT FUND**

KORMAN, C.J.:

As provided under the Settlement Agreement, and in accordance with the procedures established in the December 8, 2000 Memorandum & Order and in the Distribution Plan, Special Master Helen B. Junz, appointed by the Court to supervise the Claims Resolution Process with Special Master Michael Bradfield, is hereby requesting the Court's approval, pursuant to Article 31(2) of the Rules, of 12 Awards listed in Annex A, 5 Award Amendments listed in Annex B and of 16 Award Denials listed in Annex C to this Order, which have been certified by the Claims Resolution Tribunal (the "CRT") and the resources to pay these Awards through funds to be deposited in the Swiss Banks Settlement-Dormant Accounts-Payment Account from the Settlement Fund. The total amount of these 12 Awards and 5 Award Amendments is US\$ 1,276,285.23 (SF 1,659,170.80 converted at a rate of 1.30 Swiss Francs per U.S. Dollar).

If the Court approves the ninety-sixth set and any previously submitted, but not yet approved sets, a total of 3,484¹ accounts with a current value of US\$ 303,059,375.03, will have been awarded thus far under CRT I and CRT II combined. Under CRT II alone, including the Awards submitted with this letter, a total of 2,011 Awards for 3,277 accounts totalling US\$ 291,359,375.03 will have been made to Victims or Targets of Nazi Persecution making up the Deposited Assets Class, with the

¹ One account is a deposit held by a non-bank custodian included in Set 96, see *In re Heinrich Israel*.

average Award amounting to US\$ 134,079.13.² Under CRT I, which took place from 1997 through 2000, 207 accounts, with a value of US\$ 11.7 million, were awarded as accounts belonging to Victims of Nazi Persecution.

Furthermore, a total of 837 Certified Denials will have been approved under CRT II. In 757 of these 837 Denials, the CRT concluded that the Claimant was not able to identify his or her relative as the Account Owner, in 57 cases the CRT concluded that the Account Owner closed the account and received the proceeds him/her self, in 18 cases the CRT determined that the Claimant was not entitled to the Account Owner's account, and in 5 cases the CRT determined that the evidence submitted was insufficient to support the existence of a bank account belonging to the Claimed Account Owner.

As set forth in the Awards and as required by Article 31(3) of the Rules, the Certified Awards and the Certified Award Amendments shall be paid in full by the Special Masters after approval of such Awards by the Court.

Therefore, it is hereby

ORDERED that the attached 12 Awards and 5 Award Amendments are hereby approved for payment pursuant to Article 31(2) of the Rules;

ORDERED that for the payment of these 12 Awards and 5 Award Amendments certified by the CRT and approved by the Court, the Signatories of the Settlement Fund are hereby directed to transfer immediately US\$ 1,276,285.23 from the Settlement Fund to the Swiss Banks Settlement-Dormant Accounts-Payment Account; and

ORDERED that the attached 16 Award Denials are hereby approved for release to the relevant Claimants.

It is further ordered that the Special Masters shall provide the Court with the name and address of every class member receiving an Award, Award Amendment or Award Denial, which information shall be filed with the Court under seal.

² Because the size of the Batch 75 award made it an outlier that would have skewed the results, it was not included in the calculation of the average values.

I will issue additional orders approving Awards certified by the CRT and transferring further sums from the Settlement Fund as the CRT certifies them to this Court.

Dated: Brooklyn, New York
April 18, 2006

SO ORDERED:

s/Edward Korman

Edward R. Korman
United States District Judge

CLAIMS RESOLUTION TRIBUNAL

[Batch XCVII] - Annex A - UNREDACTED
CONFIDENTIAL

Pursuant to Article 16 of the Rules Governing the Claims Resolution Tribunal, as amended, (the "Rules"), the Claims Resolution Tribunal hereby certifies as of April 11, 2006 the following Awards for approval by the Court and payment by the Special Masters:

Account Owner Last Name and Claim Number		Award Amount (SFr.)
1.	Bernas 206440/HB	15,500.00
2.	Fürst 500635/MBC/BW	49,375.00
3.	Herzog 210594/AE; et al	325,000.00
4.	Israel 215750/JW; et al	206,604.13
5.	Kraft 500504/NP	10,375.00
6.	Lang 782112/JW	49,375.00
7.	Loebl 788168/SI	189,250.00
8.	Meyer 202828/AX; 207854/AX; 708433/AX*	49,375.00
9.	Moos 216295/AV	49,375.00
10.	Mueller 218482/MBC	15,500.00
11.	Singer 206964/AX/CN	222,525.00
12.	Stern 501568/BW	162,500.00
Total amount in Swiss Francs		1,344,754.13
Total amount in US Dollars ³		1,034,426.25

* MPM Award

³ Exchange rate as of 11 April 2006 of 1.30 Swiss Francs per U.S. Dollar.

CLAIMS RESOLUTION TRIBUNAL

*[Batch XCVI] -Annex B UNREDACTED
CONFIDENTIAL*

Pursuant to Article 16 of the Rules Governing the Claims Resolution Tribunal, as amended, (the "Rules"), the Claims Resolution Tribunal hereby certifies as of April 11, 2006 the following Award Amendments for approval by the Court:

Account Owner Last Name and Claim Number		Award Amount (SFr.)
1.	Adler 214623/KG; et al	24,687.50
2.	Bondy 501474/AC; 601472/AC	242,750.00
3.	Fischer 208936/MBC; 200377/MBC; 210508/MBC	24,687.50
4.	Hirsch 718706/MBC; 601544/MBC; 601386/MBC	8,916.67
5.	Schwarzwald 002539/AX; 208991/AX; 601572/AX	13,375.00
Total amount in Swiss Francs		314,416.67
Total amount in US Dollars ⁴		241,858.98

⁴ Exchange rate as of 11 April 2006 of 1.30 Swiss Francs per U.S. Dollar.

CLAIMS RESOLUTION TRIBUNAL

[Batch XCVII] -Annex C - UNREDACTED
CONFIDENTIAL

Pursuant to Article 16 of the Rules Governing the Claims Resolution Tribunal, as amended, (the "Rules"), the Claims Resolution Tribunal hereby certifies as of April 11, 2006 the following Award Denials for approval by the Court:

1.	Banyai 216948/SB	Identification
2.	Beer 300298/SB	Identification
3.	Goldschmidt 219325/SB	Identification
4.	Guttmann 217426/SB	Identification
5.	Hamburger 216945/SB	Identification
6.	Heymann 220205/SB	Identification
7.	Kurzweil 400530/SB	Identification
8.	Loewenstein 209542/SB	Identification
9.	Marcovitch 224560/SB	Identification
10.	Marx 218425/SB	Identification
11.	Mayer 217601/SB	Identification
12.	Müller 216947/SB	Identification
13.	Neuburger 205643/SB	Identification
14.	Pollak 223315/SB; 223319/SB	Identification
15.	Roth 400387/SB; 708303/SB	Identification
16.	Rothschild 207771/SB	Identification